## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 07-1008-WO-US)

In the Applic	ation of:	)
	Alastair David G. Lawson et al.	)
	10/570 204	) Examiner: Joanne Hama
Serial No.:	10/578,384	) C A II-it- 1622
Filing Date:	January 16, 2007	) Group Art Unit: 1632
		) Confirmation No. 1913
For:	Methods for the Treatment of	)
	Inflammatory Bowel Disease	)

## DECLARATION OF ALASTAIR DAVID G. LAWSON, DIANE MARSHALL AND TIMOTHY BOURNE UNDER 37 C.F.R. § 1.131

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

- I, Alastair David G. Lawson and I Timothy Bourne and I Diane Marshall, in support of the above-identified United States patent application, do declare and state as follows:
- 1. We are the first, original, and joint inventors of the subject matter claimed in United States Patent Application Serial No. 10/578,384, filed on January 16, 2007, and entitled "Methods for the Treatment of Inflammatory Bowel Disease," which claims priority benefit of International Application PCT/GB04/04652 filed November 3, 2004, which claims the benefit of Great Britain application 0325836.5 filed November 5, 2003. We submit this Declaration to overcome the Section 102(e) rejection of this patent application based on United States Patent Publication US 2005/0059113 to Bedian et al. (hereinafter "Bedian"), which was filed on September 9, 2004 and claims priority to U.S. Provisional Patent Application No. 60/502,163, filed on September 10, 2003 (the priority

date of Bedian). The Bedian application issued September 22, 2009 as U.S. Patent No. 7.592.430.

- We, at all relevant times herein, were and remain employees of Celltech R&D Limited, of 208 Bath Road, Slough, Berkshire, SL1 3WE, United Kingdom, predecessor-in-interest of the current assignee of this application, UCB Pharma S.A., 60 Allee de la Recherche, Brussles, Belgium.
- 3. We conceived the inventions disclosed in the above-reference patent application well prior to September 10, 2003 (the priority date of Bedian). We also exercised diligence in reducing our inventions to practice from at least prior to September 10, 2003, with both actual construction to practice as set forth in Exhibit 1 appended hereto, and continuing through to the constructive reduction to practice evidenced by filling the original Great Britain patent application on November 5, 2003.
- Accompanying this Declaration is Exhibit 1, which evidences our efforts to diligently reduce the inventions to practice prior to that September 10, 2003.
- 5. Exhibit 1 is a copy of selected pages of laboratory notebook No. 10015850 (maintained by Dr. Diane Marshall). The pages of the notebook included in Exhibit 1 are the cover, Accession page, the Table of Contents page (partially redacted), and pages 1-30 and 53-67. These are the pages in the notebook relating to the use of anti-CSF-1 antibody as a treatment for DSS-induced colitis in mice. The dates on the pages of the notebook in this Exhibit have been redacted. Each original page of the notebook included two dates, one in the upper right-hand corner and one in the lower right-hand corner. The date in the upper right-hand corner represented the date that the experiment was conducted. The date in the lower right-hand corner represented the date that the various graphs and data sheets were physically affixed in the notebook. The upper-right hand corner dates of said pages are all dated prior to September 10, 2003. The lower right-hand corner dates of pages 1-30 and 53-59 are all dated prior to September 10, 2003.

- The currently amended claims of the present application relate to a method for the treatment of inflammatory bowel disease (IBD) comprising administering a therapeutically effective amount of an inhibitor of CSF-1 activity to a patient in need thereof, wherein said inhibitor of CSF-1 activity is selected from one or more of an anti-CSF-1 antibody, or a CSF-1-binding fragment of an anti-CSF-1 antibody. This subject matter is reflected in the work recorded in Exhibit 1. At page 1, it is reported that anti-CSF-1 antibody significantly reduced disease severity of DSS-induced colitis in mice, as noted by reduced loss of body weight, less colonic shortening, reduced colonic disease symptoms (diarrhea, blood, profuse bleeding) reduced clinical disease scores (colonic disease and weight loss), reduced number of CD3+ cells and neutrophils in the colon. Graphs in the Exhibit illustrating this work correspond to the figures of the present patent application. Thus, application Fig. 1 corresponds to the top figure on page 2 of Exhibit 1: application Fig. 2 corresponds to the bottom figure on page 2 of Exhibit 1; application Fig. 3a corresponds to the top figure on page 3 of Exhibit 1; application Fig. 3b corresponds to the bottom figure on page 3 of Exhibit 1; application Fig. 4a corresponds to the top figure on page 4 of Exhibit 1; application Fig. 4b corresponds to the bottom figure on page 4 of Exhibit 1; application Fig. 5 corresponds to the figure on page 22 of Exhibit 1; and application Fig. 6 corresponds to the bottom figure on page 26 of Exhibit 1. Each of these pages in the original is dated in the upper right-hand corner with a date prior to the September 10, 2003 priority date of the Bedian reference.
- All of the work referred to in this declaration occurred in the United Kingdom, except the filing of the present application which occurred in the United States through our patent counsel, Woodcock Washburn.
- 8. We hereby acknowledge that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 9th Ochler 2009

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Date: 9/10/09 9th October 2009

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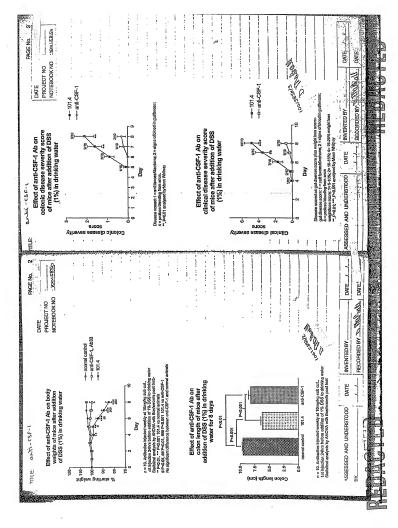
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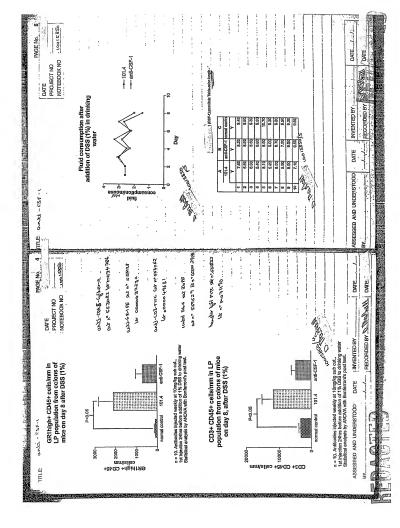
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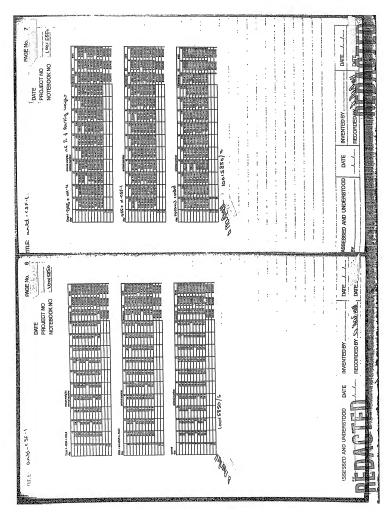
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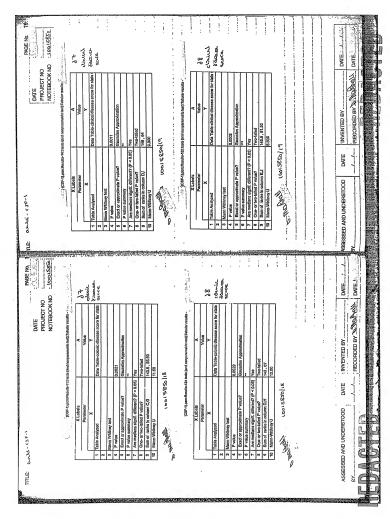
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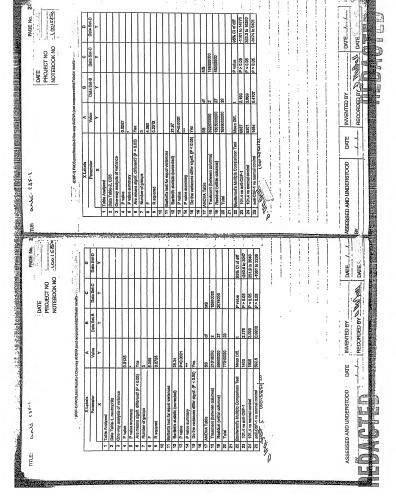
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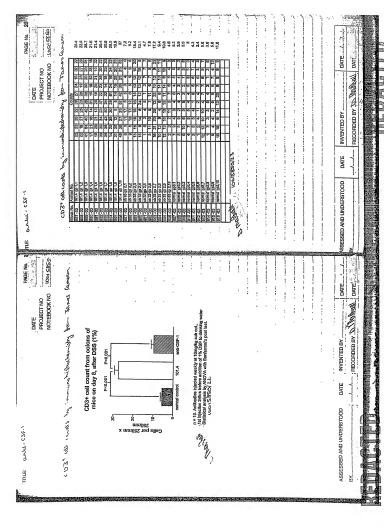
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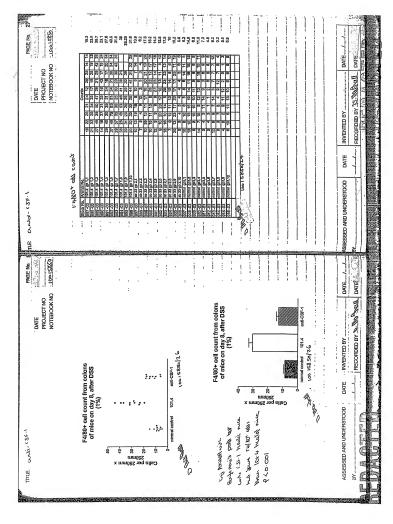
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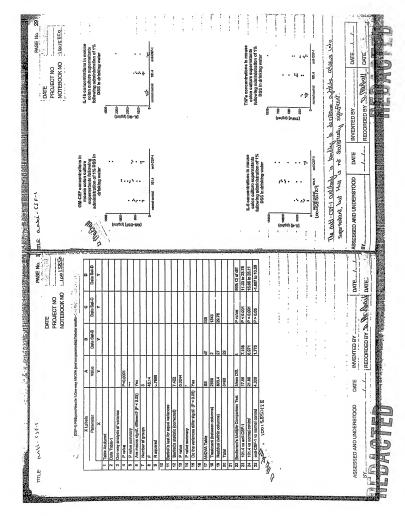






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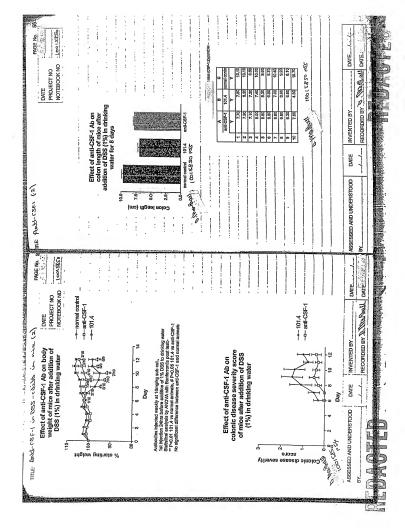


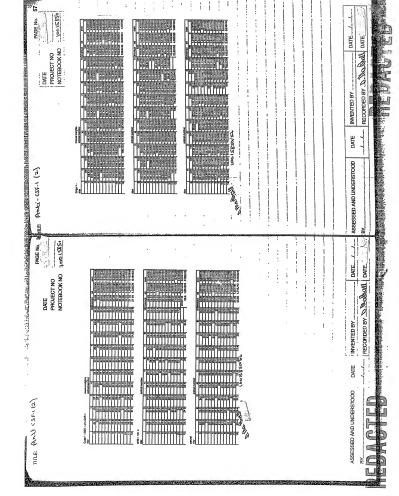


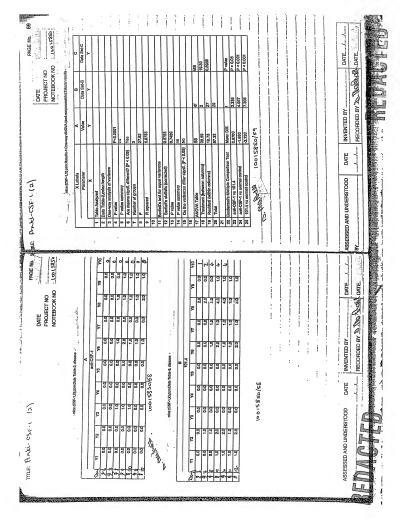
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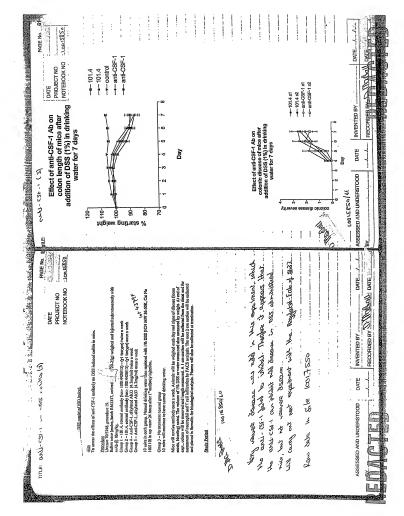
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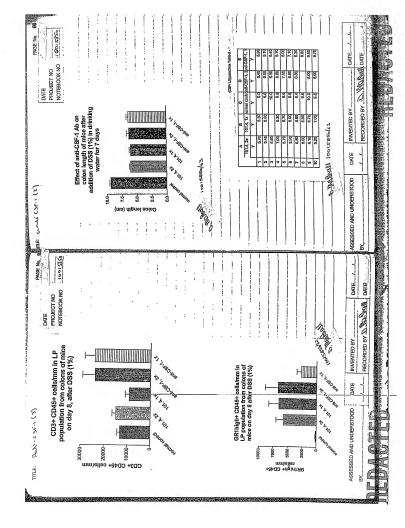
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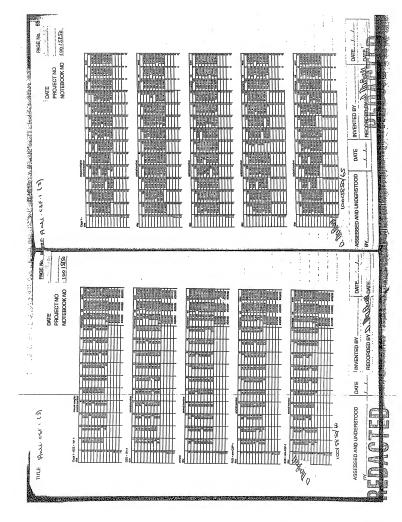












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